

1 CHIEF JUDGE RICARDO S. MARTINEZ
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,) No. CR20-214-RSM
11 Plaintiff,)
12 v.) ORDER GRANTING
13 MARCUS WILLIAM LOWE,) UNOPPOSED MOTION TO
14 Defendant.) CONTINUE TRIAL AND PRETRIAL
15 MOTIONS DATES

16 THE COURT has considered the unopposed motion to continue the trial date in
17 this case and finds that:

18 (a) taking into account the exercise of due diligence, a failure to grant a
19 continuance in this case would deny counsel for Mr. Lowe the reasonable time
20 necessary for effective preparation due to counsel's need for more time to review the
21 evidence, consider possible defenses, and gather evidence material to the defense, as set
forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

22 (b) a failure to grant such a continuance in this proceeding would likely result in
23 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

24 (c) the additional time requested is a reasonable period of delay, as counsel for
25 Mr. Lowe has requested more time to prepare for trial, to investigate the matter, to
26 gather evidence material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and Mr. Lowe in any speedier trial, as
3 set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of July 11, 2022,
5 and the new trial date is necessary to provide counsel for Mr. Lowe the reasonable time
6 necessary to prepare for trial, considering counsel's schedule and all of the facts set
7 forth above; and

8 (f) the period of delay from the date of this order to the new trial date is
9 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

10 IT IS THEREFORE ORDERED that the trial date in this matter shall be
11 continued to January 30, 2023, and that pretrial motions shall be filed no later than
12 October 31, 2022.

13 DONE this 22nd day of June 2022.

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16 RICARDO S. MARTINEZ
17 CHIEF UNITED STATES DISTRICT JUDGE

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19 Presented by:
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21 s/ *Sara Brin*
22 Assistant Federal Public Defender
23 Attorney for Marcus Lowe